

## **CHAPTER 15-52 STATE MEDICAL CENTER**

**15-52-01. Establishment.** There is hereby established at the university of North Dakota a North Dakota state medical center, the purpose of which must be to provide facilities for the coordination, improvement, expansion, and unification of health and welfare activities of the state and its agencies and its political subdivisions and private medical practitioners.

**15-52-02. Control and operation.** The control and operation of the North Dakota state medical center is the duty and responsibility of the administrative authorities of the university of North Dakota and its medical school under the policies of the state board of higher education or its successor in authority.

**15-52-03. Medical center advisory council - Members, terms, meetings.**

1. To assure the proper coordination and integration of the North Dakota state medical center with all other health and welfare activities of the state, a permanent medical center advisory council is established to advise, consult, and make recommendations to the university administration, and to the several agencies represented on the council concerning the program of the North Dakota state medical center, the adaptation of the medical center to the needs of the state and to the requirements and facilities of the several agencies involved, and the use of the North Dakota state medical center and its facilities by the various institutions and agencies of the state and its political subdivisions.
2. The council consists of fourteen members:
  - a.
    - (1) Two members of the senate, one of whom must be from the majority party and one of whom must be from the minority party, selected by the chairman of the legislative council; and
    - (2) Two members of the house of representatives, one of whom must be from the majority party and one of whom must be from the minority party, to be selected by the chairman of the legislative council;
  - b. One member selected by each of the following:
    - (1) The department of human services;
    - (2) The state board of higher education;
    - (3) The state department of health;
    - (4) The North Dakota medical association;
    - (5) The North Dakota healthcare association; and
    - (6) The veterans administration hospital in Fargo; and
  - c. One member selected by the dean of the university of North Dakota medical school from each of the four campus areas of the medical school with headquarters in Bismarck, Fargo, Grand Forks, and Minot.
3. The representatives named by the state agencies and boards must be selected to serve as members of the medical center advisory council for periods of at least one year, but may not serve longer than their term of office on the public agency. The representatives from the North Dakota state medical association and the North

Dakota healthcare association serve a term of three years or until their successors are named and qualified.

4. The council shall name its own chairman and the dean of the university of North Dakota medical school shall serve as executive secretary of the council. The council shall meet not less than twice each year, and, from time to time, on its own motion or upon request of the university administration, to consider plans and programs of action for the North Dakota state medical center and make its recommendations to the several agencies of the state and political subdivisions involved and to the legislative assembly.

**15-52-04. Duties of council.** The medical center advisory council shall study, consider, and formulate plans for facilitating and implementing, through the North Dakota state medical center, a unified program for the improvement and maintenance of the health of the people of the state in all of its phases. The study must include specifically ways and means of bringing about the complete training of adequate numbers of qualified physicians and surgeons for the people of the state, both in the general practice of medicine and surgery and the field of public health, of allied health professionals, and all other personnel concerned with the improvement and preservation of the health of the people of this state.

**15-52-05. Medical center facilities available to whom.** The university authorities shall make the facilities of such North Dakota state medical center available to all agencies of the state, federal, and local governments engaged in health and welfare activities to the fullest extent possible within the limits of a complete and coordinated program for the use thereof on terms commensurate with the cost of services rendered and facilities furnished. The work of the medical school and the North Dakota state medical center must be coordinated with the work of the other departments of the university of North Dakota. Means must be provided whereby regularly enrolled students in other schools or departments of the university of North Dakota may, upon approval of the dean of such other school or department, enroll in elective courses in the medical school and receive credit therefor in the school or department in which they are regularly enrolled. Medical students may enroll in other departments and schools. Such action must be taken as may serve to make both the North Dakota state medical center and the other departments and schools of the university of North Dakota more efficient and responsive to needs of the people through the mutual interchange of facilities, and service, wherever possible.

**15-52-06. Fees and charges of medical center.** Repealed by S.L. 1987, ch. 234, § 9.

**15-52-07. Political subdivisions shall use facilities of center.** All agencies of the state, counties, and municipalities in any way concerned with health, medical care, or public welfare, shall make the fullest possible use of the facilities and services of the North Dakota state medical center and shall pay therefor the established fees and charges, and may contribute to the North Dakota state medical center specific fees or monthly payments for specific facilities and services furnished.

**15-52-08. Center may accept grants, gifts, and rentals - Power to contract.** The North Dakota state medical center or the university of North Dakota for the use and benefit of said North Dakota state medical center is specifically authorized to accept and use for the purposes of said North Dakota state medical center grants, gifts, contributions, fees, rentals, and other payments from any foundation, individual, firm, corporation, limited liability company, institution, public or private agency, or from the federal government or any of its departments, agencies, or bureaus; and may, within the limits of its funds available enter into such agreements as may be necessary to secure buildings, supplies, maintenance, material, and equipment; and may contract with public or private agencies or persons for the rental or use of facilities, services, and equipment not owned by such North Dakota state medical center.

**15-52-09. Expenditure of proceeds of one-mill levy authorized - Limitation.** The proceeds of the one-mill tax levy established by section 10 of article X of the Constitution of North Dakota, together with any other funds that may be received by the state treasurer, from time to time, for the benefit of the North Dakota state medical center, must be expended to establish,

develop, and maintain said North Dakota state medical center, as provided in this chapter, by the issuance of state warrants drawn on such funds by the director of the office of management and budget.

**15-52-10. Medical center loan fund.** There is hereby created a medical center loan fund which must be administered by the university of North Dakota under the direction and control of the board of higher education. As used hereafter in this chapter, the word "university" means the university of North Dakota under the direction and control of the board of higher education.

**15-52-11. Term of loan board.** Repealed by S.L. 1971, ch. 194, § 15.

**15-52-12. Loan board - Officers, meetings, quorum.** Repealed by S.L. 1971, ch. 194, § 15.

**15-52-13. Loan board minutes - Public access.** Repealed by S.L. 1971, ch. 194, § 15.

**15-52-14. Loan board compensation.** Repealed by S.L. 1971, ch. 194, § 15.

**15-52-15. Duties related to loan fund.** It is the duty of the university to receive and pass upon, and to allow or disallow, all applications for loans submitted by qualified applicants who desire to complete an education in medicine or dentistry for the purpose of entering medical or dental practice in the state of North Dakota. It is also the duty of the university to compile a list of cities, towns, and other municipalities in this state without a qualified physician or dentist or with an insufficient number of qualified physicians or dentists, and to endeavor to supply physicians or dentists to such cities, towns, and other municipalities.

**15-52-16. Qualifications of loan applicants.** An applicant is deemed qualified only if the applicant:

1. Has been a resident of this state at least one year before the date of entering medical school or dental school;
2. Has successfully completed the first year of the curriculum in medicine at the university of North Dakota or has successfully completed the first year of the curriculum in dentistry in an accredited dental school; and
3. Can present to the university satisfactory proof that the applicant is enrolled as a student in the second, third, or fourth year of a school of medicine accredited by the liaison committee on medical education or a school of dentistry accredited by the commission on dental accreditation, or will be enrolled upon payment of tuition.

**15-52-17. Loan investigations.** The university shall make a careful investigation to ascertain the truth of all matters set forth in applications received by it, including a study of the financial need of the applicant. Preference must be given to qualified applicants with demonstrated financial need.

**15-52-18. Amount of loans.** Loans may be granted to qualified applicants by the university in amounts not in excess of six thousand dollars each year for the purpose of completing the second, third, and fourth year of medical or dental study in an accredited school of medicine or dentistry.

**15-52-19. Loan payments.** Repealed by S.L. 2003, ch. 141, § 7.

**15-52-20. Loan conditions.** A loan granted by the university under section 15-52-10 and sections 15-52-15 through 15-52-28 must be upon the condition that the full amount of the loan must be repaid in cash with interest not to exceed six percent annually from the date of each payment pursuant to a loan agreement. The medical center advisory council may annually

establish an interest rate at a level lower than six percent. The repayment must be in yearly installments on a schedule set by the university with the first installment becoming due and payable one year from the date on which the applicant begins practice, but may not exceed five years from the date of graduation or one year from the date of graduation from a dental school if a dental student.

**15-52-21. Loan agreement - Suit - Defenses.** Each applicant before being loaned any funds hereunder shall enter into a contract with the university agreeing to the terms and conditions set forth in section 15-52-10 and sections 15-52-15 through 15-52-28 and rules and regulations promulgated thereunder. For the purposes of section 15-52-10 and sections 15-52-15 through 15-52-28, the defenses of minority and of the statutes of limitation are hereby removed as to any applicant granted a loan, and such contracts are in all respects legal and binding. The university may sue in its own name any applicant for any balance due on any such contract, and is authorized to compromise or settle litigation with respect to any such contract.

**15-52-22. Loan cancellation or suspension.** The university may cancel any contract, or suspend or recall payments thereunder, if an applicant:

1. Fails in his course of study;
2. Withdraws from the school of medicine or dentistry he is attending;
3. Is expelled or suspended by such school; or
4. Otherwise becomes a clearly unsuitable risk.

**15-52-23. Remedies.** In the event the university finds it necessary to cancel a contract or to suspend or recall payments, it may commence legal proceedings for the recovery of all sums loaned to the applicant, together with interest thereon, the total of which sums becomes due and owing immediately upon the mailing to the applicant of written notice of the decision to cancel the contract or to suspend or recall payments thereunder.

**15-52-24. Loan insurance.** Repealed by S.L. 2003, ch. 141, § 7.

**15-52-25. Deposit and payment of funds.** All funds made available to the university pursuant to the provisions of this chapter are to be deposited by it and are to be paid out only upon vouchers signed by the official properly designated by the board of higher education.

**15-52-26. Availability of funds.** The board of higher education is hereby directed and authorized to make available to the university, from the portion of the proceeds of the one-mill levy provided by section 10 of article X of the Constitution of North Dakota as the board of higher education shall have retained in its possession pursuant to the provisions of section 15-52-09 for the purpose of establishing third and fourth year courses of medicine at the university of North Dakota, such funds as may be required for the operation of the medical center loan fund, but not in excess of one hundred thousand dollars in any one year.

**15-52-27. Purposes of loan fund.** The purposes of section 15-52-10 and sections 15-52-15 through 15-52-28 are hereby declared to be to develop and maintain the North Dakota state medical center by making it possible for all qualified students attending such center to complete their education in medicine or in the case of dental students who are residents of the state of North Dakota to complete their education in dentistry.

**15-52-28. Biennial report.** The board of higher education may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04.

**15-52-29. Training of psychiatric personnel - Scholarships.** The North Dakota state medical center, under the policies of the state board of higher education, is hereby authorized and directed to provide or encourage means for providing for the training of such psychiatrists and other psychiatric personnel as may be necessary to properly staff state institutions and

agencies providing services in the field of mental health. The North Dakota medical center is authorized to execute contracts with any suitable public or private agency providing such training services and facilities and to pay for such services from funds of the medical center as provided in section 15-52-09.

The board is specifically authorized and directed, acting through the medical center, to provide scholarships in such amounts as may be necessary for the use of qualified physicians during periods in which such physicians are in training in the field of psychiatry. Such scholarships must be conditioned upon service upon the staffs of state institutions and agencies by such psychiatrists after the completion of their formal training for such term as the board may prescribe.

**15-52-30. Contracts or agreements authorized - Legislative intent.**

1. The state board of higher education upon the recommendation of the medical center advisory council is hereby authorized to enter into contracts or agreements, both interstate and intrastate, to provide medical education opportunities. These contracts and agreements must be made within the limits of available legislative appropriation and may be for such periods of time as the board of higher education deems necessary.
2. It is hereby declared to be the intent of the legislative assembly that the state of North Dakota, through its board of higher education, provide for a comprehensive program of medical education leading to a doctor of medicine degree.

**15-52-31. Admission of students - Qualifications.** The faculty of the school of medicine at the university of North Dakota may, with the approval of the medical center advisory council and the board of higher education, adopt such rules and regulations governing the education and residency qualifications of applicants for admission to the medical school as it deems necessary and proper.